

City of Cincinnati



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David S. Mann
Vice Mayor/ Councilmember

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MOTION

We move that the City Manager take all steps necessary to ensure that Council's participation in the award of contracts by SORTA for the Operation & Maintenance of the streetcar be fully informed, with Council being advised of the identities of the finalists for the contracts and provided detailed, relevant information with respect to all criteria being evaluated by SORTA staff: price; quality of the applicant; quality of the proposed staffing for Cincinnati; and the technical quality of the application. Additionally, Council should be provided information from the bidder pertaining to minority participation.

A handwritten signature in black ink, appearing to be "David Mann", written over a horizontal line.

Vice Mayor David Mann

A handwritten signature in blue ink, appearing to be "PG Sittaufeld", written over a horizontal line.

A handwritten signature in blue ink, appearing to be "J. J. [unclear]", written over a horizontal line.

A handwritten signature in black ink, appearing to be "[unclear]", written over a horizontal line.

3/17/15
Major Tranter

STATEMENT

By adopted motion (201401401) Council instructed that "SORTA obtain the consent of Council to any third party operating contract for the operation of the Cincinnati streetcar."

As planned by SORTA, Council's role in consenting to the streetcar operating contract will be severely constrained. SORTA staff will score applicants on the basis of four criteria: price; quality of the applicant; quality of the proposed staffing for Cincinnati; and technical quality of the application. These four criteria obviously involve many sub criteria.

Then, the highest scoring applicant in each of two categories – (a) turnkey operator; and (b) management agreement with SORTA employees – will be presented to Council. The SORTA Board will not make a recommendation to Council.

Instead, SORTA's plan is to **withhold all information** about the two highest scorers **except price**. Council will not be told the identities of the highest scorers. Nor will Council be told anything about any of the rating criteria other than price. Instead, Council will be asked to accept proposals from people who are not required to explain their application of very subjective criteria.

In the absence of a recommendation, Council will be asked to judge two proposals whose only comparable criteria will be price. Council can exercise its responsibility to consent only if it is fully informed. Council must know the identities of the two finalists and the scoring by SORTA staff with respect to the detailed criteria and sub criteria.

I do not consider this intended process to be at all responsive to Council's motion.

Applicable laws allegedly require this process. I ask the Administration to subject this assertion to careful review. I understand the need for confidentiality at early stages in the selection process. I reject the appropriateness of this kind of secrecy when an elected body exercises its oversight responsibilities. Nor can it be defended when such enormous levels of public funds are being spent.

Early attention and report by the Administration is vital.